

**THE FAUX LAW GROUP**  
1540 W. WARM SPRINGS ROAD, SUITE 100  
HENDERSON, NEVADA 89014  
TEL. (702) 458-5790

KURT C. FAUX, ESQ.  
Nevada Bar No. 003407  
WILLI H. SIEPMANN, ESQ.  
Nevada Bar No. 002478  
THE FAUX LAW GROUP  
1540 W. Warm Springs Road, Suite 100  
Henderson, Nevada 89014  
Telephone: (702) 458-5790  
Facsimile: (702) 458-5794  
Email: kfaux@fauxlaw.com  
wsiepmann@fauxlaw.com  
*Attorneys for Archer Western Contractors, LLC*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

THE ERECTION COMPANY, INC., a  
Washington Corporation

Plaintiff,

vs.

ARCHER WESTERN CONTRACTORS,  
LLC, a Delaware foreign limited-liability  
company; POSTEL ERECTION GROUP,  
LLC, a domestic limited liability company;  
POSTEL WEST, INC., an Arizona  
corporation; POSTEL INDUSTRIES, INC., an  
unknown entity; DOES I through X; ROES XI  
through XX

Defendants.

CASE NO. 2:12-cv-00612-MMD-NJK

**STIPULATED FACTS**

AND RELATED MATTERS

Plaintiff, The Erection Company (“TEC”) and Defendants Archer Western Contractors, LLC  
 (“AWC”), by and through their counsel of record, hereby jointly move for an Order stipulating  
 certain, uncontested facts.

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**I. STATEMENT OF UNDISPUTED FACTS**

1. On September 3, 2010, the FAA awarded to AWC Contract No. DTFANM-10-00215, Construction of a new Airport Traffic Control Tower and Terminal Radar Approach Control (together the “Project” or “Tower”) at McCarran International Airport in Las Vegas, Nevada (the “Prime Contract”).

2. AWC obtained a payment bond (the “AWC Bond”) in the amount of \$40,229,000.00 from Travelers for the Project.

3. On or about May 20, 2011, AWC entered into a certain subcontract with Postel (the “Postel Subcontract”) for steel fabrication and installation.

4. On or about Nov. 8, 2011, Postel entered into a subcontract with TEC for steel installation (the “TEC Subcontract”).

5. TEC obtained a payment and performance bond in the amount of \$1,609,970.00 from Travelers for the Project (the “TEC Bond”).

6. On or about November 14, 2011, TEC commenced work on the Project.

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7. On March 1, 2012, AWC and Postel entered into an Assignment Agreement (“the Assignment”) where Postel agreed to assign all of “its rights and obligations under the TEC Subcontract” to AWC.

DATED this 4th day of December, 2015.

THE FAUX LAW GROUP

/s/ Kurt C. Faux

Kurt C. Faux, Esq.  
Nevada Bar No. 003407  
Willi H. Siepmann, Esq.  
State Bar No. 002478  
1540 W. Warm Springs Road, #100  
Henderson, Nevada 89014  
*Counsel for Archer Western Contractors, LLC  
and Travelers Surety and Casualty Company of  
America (Bond No. 105478077)*

KEMP, JONES & COULTHARD, LLP

/s/ Spencer H. Gunnerson

Spencer H. Gunnerson, Esq.  
Nevada Bar No. 008810  
Nathanael R. Rulis, Esq.  
Nevada Bar No. 011259  
3800 Howard Hughes Parkway  
Las Vegas, Nevada 89169  
*Counsel for The Erection Company*

WATT, TIEDER, HOFFAR  
& FITZGERALD, LLP

/s/ David R. Johnson

David R. Johnson, Esq.  
Nevada Bar No. 6696  
Jared M. Sechrist, Esq.  
Nevada Bar No. 10439  
3993 Howard Hughes Parkway, Suite 400  
Las Vegas, Nevada 89169  
*Counsel for Travelers Casualty & Surety Co.  
(Bond No. 105707041)*

**ORDER**

IT IS SO ORDERED.



United States District Court Judge

DATED: December 7, 2015